



Order Filed on October 19, 2020
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

**Caption in Compliance with
D.N.J.LBR 9004-1**

STEWART LEGAL GROUP, P.L.

Formed in the State of Florida

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Attorney for Secured Creditor

In re:

Danny Gallardo

Debtor.

Chapter: 13

Case No.: 16-29458-RG

Judge: Rosemary Gambardella

CONSENT ORDER RESOLVING CERTIFICATE OF DEFAULT

The relief set forth on the following page is hereby **ORDERED**.

DATED: October 19, 2020

A handwritten signature in cursive script that reads "Rosemary Gambardella".

Honorable Rosemary Gambardella
United States Bankruptcy Judge

Debtor: Danny Gallardo
Case No.: 16-29458-RG
Caption of Order: **CONSENT ORDER RESOLVING CERTIFICATE OF DEFAULT**

THIS MATTER having been opened to the Court upon the Certificate of Default (“COD”) filed by Specialized Loan Servicing, LLC, as servicing agent for Morgan Stanley Mortgage Loan Trust 2006 13ARX, Mortgage Pass-Through Certificates, Series 2006-13ARX, U.S. Bank National Association, as Trustee, successor in interest to Bank of America, National Association, as Trustee, successor by merger to LaSalle Bank National Association, as Trustee (“Creditor”), and whereas the post-petition arrearage was \$10,433.46 as of October 1, 2020, and whereas the Debtor and Creditor seek to resolve the COD, it is hereby **ORDERED**:

1. The post-petition arrearage above, namely \$10,433.46, is deemed to be included as an arrearage in the Chapter 13 Plan, to be paid by Debtor, through the Chapter 13 Trustee, to Creditor over the remaining life of the Chapter 13 Plan.

2. The automatic stay provided under 11 U.S.C. §362(a) shall remain in effect as to Creditor’s interest in the following property: **130-32 Florida Ave., Paterson, NJ 07503** (“Property”) provided that the Debtor complies with the following:

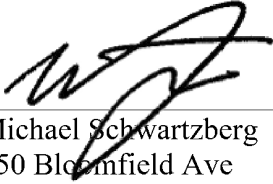
- a. The Debtor shall resume making the regular contractual monthly payments directly to Creditor as each becomes due, beginning with the November 1, 2020 payment and continuing thereon per the terms of the underlying loan; and
- b. Remain current on all post-petition payment obligations, as well as all payments to be paid through the Chapter 13 Plan.

3. The Debtor will be in default under the Consent Order in the event that the Debtor fails to comply with the payment terms and conditions set forth in above Paragraph and/or if the Debtor fails to make any payment due to Creditor under the Chapter 13 Plan.

4. If the Debtor fails to cure the default within thirty (30) days from the date of default, Creditor may submit a Certificate of Default to the Court on fourteen (14) days' notice to counsel for Debtor and the Chapter 13 Trustee for an order lifting the automatic stay imposed under 11 U.S.C. §362(a) permitting Creditor to exercise any rights under the loan documents with respect to the Property.

5. Creditor is awarded reimbursement of attorney fees in the amount of \$250.00, respectfully to be paid through the Chapter 13 Plan.

STIPULATED AND AGREED:



Michael Schwartzberg
650 Bloomfield Ave
Suite 100
Bloomfield, NJ 07003
Counsel to Debtor
Dated:

/s/ Gavin N. Stewart
Gavin N. Stewart
Stewart Legal Group, P.L.
401 East Jackson Street, Suite 2340
Tampa, FL 33602
Counsel to Creditor
Dated:

In re:
Danny Gallardo
Debtor(s)

Case No. 16-29458-RG
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-2
Date Rcvd: Oct 19, 2020

User: admin
Form ID: pdf903

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 21, 2020:

Recip ID	Recipient Name and Address
db	+ Danny Gallardo, 132 Florida Avenue, Paterson, NJ 07503-1624

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Oct 21, 2020

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 19, 2020 at the address(es) listed below:

Name	Email Address
Denise E. Carlon	on behalf of Creditor Morgan Stanley Mortgage Loan Trust 2006-13ARX Mortgage Pass-Through Certificates, Series 2006-13 ARX, U.S. Bank National Association, as Trustee, successor in interest to Bank of America, National As dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Gavin Stewart	on behalf of Creditor Specialized Loan Servicing LLC bk@stewartlegalgroup.com
Marie-Ann Greenberg	magecf@magtrustee.com
Michael Schwartzberg	on behalf of Debtor Danny Gallardo michael@jerseylaws.com
Rebecca Ann Solarz	on behalf of Creditor Morgan Stanley Mortgage Loan Trust 2006-13ARX Mortgage Pass-Through Certificates, Series 2006-13 ARX, U.S. Bank National Association, as Trustee, successor in interest to Bank of America, National As

District/off: 0312-2

User: admin

Page 2 of 2

Date Rcvd: Oct 19, 2020

Form ID: pdf903

Total Noticed: 1

rsolarz@kmlawgroup.com

TOTAL: 5